



# CIDS

## County Information and Data Service

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JANUARY 6, 2006

### DATES TO REMEMBER

MARCH 4-8, 2006	NACo LEGISLATIVE CONFERENCE, WASHINGTON HILTON & TOWERS, WASHINGTON, D.C.
MARCH 8, 2006	OHIO CONGRESSIONAL DELEGATION BREAKFAST, WASHINGTON, D.C.
JULY 12, 2006	17 <sup>th</sup> CCAO ANNUAL GOLF OUTING, OAKHAVEN GOLF COURSE, DELAWARE COUNTY (DELAWARE)
AUGUST 29-30, 2006	COUNTY COMMISSIONERS DAYS, ERIE COUNTY (SANDUSKY)

### ASSOCIATION NEWS

MEMO ON COMMITTEE APPOINTMENTS FOR 2006 HAS BEEN SENT TO COUNTIES; COMMISSIONERS ARE ASKED TO RETURN PARTICIPATION FORMS BY JANUARY 13

A memo has been sent to each county from Larry Long on the appointment of CCAO Standing Committees for 2006. Standing Committees usually meet at least four times a year. In 2006, the primary purpose of each Standing Committee will be to assist in the development of a new Legislative Program for the 127<sup>th</sup> General Assembly.

We plan to retain the 2005 committee memberships unless you request a change. The form included with the memo gives you the chance to request removal from a committee on which you currently serve or to request appointment to a committee where you are not now a member. *You do not need to return the form if you wish to remain on the committee or committees on which you are currently serving.*

*Please return these forms to CCAO by Friday, January 13, 2006.*

COUNTY ADVISORY BULLETIN 2006-01 IS INCLUDED WITH THIS ISSUE OF CIDS; IT ADDRESSES HOUSE BILL 181 OF THE 125<sup>th</sup> GENERAL ASSEMBLY

Included with this issue of CIDS are four copies of County Advisory Bulletin (CAB) 2006-01, which discusses House Bill 181 of the 125<sup>th</sup> General Assembly. The bill, sponsored by Representative Tim Schaffer (R-Lancaster), creates a procedure for suspending from office local elected officials who are charged with felonies related to their conduct in office. For more information on House Bill 181, contact Doug Putnam, CCAO Research & Information Manager, at 614-221-5627 or [dputnam@ccao.org](mailto:dputnam@ccao.org)

### IT'S CCAO ROSTER UPDATE TIME...

It's that time again...time to update information for the

2006 CCAO Roster! A memo concerning updating the Roster will be sent to county commissioners clerks next week. Newly elected commissioners and veteran commissioners that would like to update their photos should submit them by January 31. Please do not fax photos or send photos from the newspaper. The reproduction quality is poor. New photos should be sent or e-mailed to Mary Jane Neiman, CCAO Public Relations Associate, at [mjneiman@ccao.org](mailto:mjneiman@ccao.org) by Tuesday, January 31.

## STATE ACTIVITIES

### DAS SEEKING SOLUTIONS TO ITS LOSS OF FUNDING FOR CIVIL SERVICE ADMINISTRATION – COUNTIES URGED TO GIVE FEEDBACK

The Ohio Department of Administrative Services (DAS) is seeking solutions regarding its loss of funding to administer county civil service.

As you know, DAS is charged with overseeing the administration of civil service employment laws in county offices; however, a board of county commissioners may establish a county personnel department (CPD) to perform such oversight for DAS. A few counties have established a CPD, but the overwhelming majority of counties are statutorily required to work with DAS. While this may sound new to some folks, it is because only about a third of the local appointing authorities abide by the statutory obligations to notify DAS of personnel actions and other requirements.

Having acknowledged that, it is also important to note that the County Job & Family Services Departments typically have a working relationship with DAS, due to the fact that the local departments receive federal funding which requires compliance with civil service laws.

Since last June with the enactment of the last state budget, House Bill 66, DAS has been confronted with a difficult situation. The Department received no funding to provide county civil service operations, but retains the statutory obligation to provide such service. To address this issue, DAS is seeking to develop a short term solution to this problem,

recognizing that the agency would prefer in the long-term to do away with this responsibility.

Currently DAS has identified two possible short term solutions. First, DAS would charge an hourly rate for the services it provides to counties. DAS estimates it would cost \$78.78 per hour, which includes cost for staff salary and all administrative overhead (supplies, rent, materials, equipment, etc). DAS believes that they currently have statutory authority to levy such a charge.

DAS also has estimated the amount of time it would take to perform typical, average actions such as the following:

- Layoff – 3 hours
- Suspension – ½ hour
- New appointment – ½ hour
- Create a vacant position – ½ hour
- Service chance (prior service) – ½ hour
- Large rate increase roster – 4 hours
- Unclassified request – ½ hour

CCAO has an outline prepared by DAS which shows the steps involved in each of the above actions. To request a copy of the outline, contact CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org).

A second option that DAS has identified as a short term solution is to possibly delegate some of its responsibilities to local appointing authorities. ORC 124.04 (N) authorizes the Director of DAS to delegate any “powers, functions or duties granted or assigned” to the Director under ORC Chapter 124 to any political subdivision with the consent of the legislative authority of the political subdivision. Such a delegation would authorize such political subdivisions to engage in the activities they need to perform to operate their business on a day-to-day basis, without the need for any involvement by DAS.

CCAO Staff is very interested in hearing what county commissioners and staff who handle human resource matters think about the DAS proposal. Please forward your thoughts to Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (888)-757-1904 or at (614) 220-7980. Thanks.

## LEGISLATIVE ACTIVITIES

### PENSION CHANGES PROPOSED IN HOUSE BILL 272: REMITTANCE OF EMPLOYER CONTRIBUTION SCHEDULE SOUGHT TO BE SPED UP & COORDINATION OF PERS HEALTH CARE FROM OTHER SOURCES PROPOSED

House Bill 272 proposes several policy and administrative changes to the Ohio Public Employees Retirement Systems (OPERS), including speeding up when some employers submit their contributions to OPERS as well as instituting a coordination of retiree health care coverage from multiple sources using insurance industry standards. The bill, sponsored by Rep Michelle. Schneider (R-Cincinnati), currently is pending in the House Financial Institutions, Real Estate & Securities Committee.

The purpose of this article is to generate awareness of the proposed changes and to encourage individuals with questions or concerns/support to share those with CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (614) 220-7980.

#### Remittance of employer contributions to OPERS

Current law requires public employers to remit employer contributions to OPERS each quarter, and if the employer contributions are received 90 days after the due date, a 5% penalty and interest is assessed on the late payment. HB 272 changes the quarterly submission to monthly, and it allows late penalties to be assessed if the contributions are received 30 days after the due date.

To mitigate the financial impact of this change on employers, the bill also provides a phase-in of this approach over a several year period, so that employers are not hit with multi-month transitional liability in one year.

How would this work? The legislation provides that the employer contributions due for October 2005 would be payable no later than December 31, 2006; the employer contributions for November 2005 would be payable no later than December 2007, and the employer contributions for December 2005 would be

due by December 31, 2008. Given the current status of the bill in the legislative process, the dates for the transitional relief afforded would need to be modified.

OPERS actually began notifying employers about this change some time ago. OPERS has been instructing employers to submit their employer contributions on a monthly basis; however, the System did not have the statutory authority to impose a penalty after 30 days. HB 272 provides such authority.

Keep in mind, "employee" contributions already are remitted to OPERS on a monthly basis. This change in the employer contribution remittance schedule provides consistency.

CCAO has received a list from OPERS of employers impacted by this proposed change. It includes the following counties: Athens, Clinton, Fayette, Franklin, Greene, Hamilton, Preble, Ross and Vinton County. Additional public entities, such as port authorities, medical centers, law libraries, transit authorities, townships, municipalities, and universities are impacted. The State of Ohio already submits on a monthly basis. The list of impacted employers has decreased substantially since OPERS initially announced this change sometime ago.

#### Coordination of Retiree Health Care Benefits

Current law requires the OPERS board to establish by rule requirements for the coordination of OPERS-provided health insurance coverage with any similar coverage made available to the same individual by the other four state retirement systems. HB 272 would expand this requirement to apply to situations in which PERS-covered individuals are not employed but have coverage available from a source other than through employment. For example, this could include retiree health care coverage from a private employer like Nationwide or General Motors.

How would this work? The bill provides that the OPERS board shall adopt rules to address the following:

- In the case of an individual receiving an age & service, disability or survivor benefit,

OPERS-provided health insurance shall be primary if the other available coverage requires coordination with OPERS-provided health insurance and is provided to the individual as the spouse or dependent of another person.

- OPERS-provided health insurance shall be secondary if any of the following apply:
  - The other coverage available does not require coordination with OPERS-provided coverage;
  - In the case of an individual receiving an age & service, disability or survivor benefit, the other available coverage requires coordination with OPERS-provided coverage, is not provided as a spouse or dependent of another person, and has been in effect for a longer time than coverage under OPERS;
  - In the case of a sponsored dependent, the other available coverage requires coordination with OPERS-provided coverage and either is not provided as the spouse or dependent of another person or is provided as the spouse or dependent of another person but has been in effect for a longer time than the coverage under OPERS.

The bill would require the benefit recipient and each sponsored dependent to make an annual report to OPERS stating whether the person has other available coverage.

Again, this provision appears to more directly impact individuals who are spouses or dependents with retiree health care coverage available from a private employer. It is CCAO's understanding that the coordination of benefits concept being proposed by OPERS in HB 272 is consistent with the norm in the insurance industry when multiple coverage is available.

In addition, the bill proposes that OPERS retirants who are re-employed in the "private" sector shall receive primary health insurance coverage through their employer if the employer provides coverage to

other employees performing comparable work. In such cases, OPERS-provided health insurance becomes secondary. Under current law, this provision applies to retirants who are re-employed in the "public" sector. HB 272 would provide consistency when retirants are reemployed in either the public or private sector.

#### Minimum Earnable Salary to Earn Full-time Service Credit

Under current law, for each month in which an OPERS member's earnable salary exceeds \$250, the member receives one month of service credit. For each month that a member's earnable salary is less than \$250, the member receives a prorated amount of service credit. The \$250 threshold was enacted into law in 1985 and does not include an indexing feature to reflect wage inflation or increases in the cost-of-living.

The bill would increase the minimum monthly threshold to \$450 for calendar year 2007. If the member's earnable salary for calendar year 2007 is less than \$1,080, the member's credit shall not be less than 20% for a calendar year of employment in which the member worked each month. Thereafter, these amounts would be raised based on increased in wage inflation. Keep in mind that service credit would be prorated for members earning below the minimum thresholds, as prorated, as under law.

These are just a few of the provisions included in HB 272, and additional amendments are anticipated. If you would like further information or have thoughts on HB 272, please contact CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or at (614) 220-7980.

#### **NACo ACTIVITIES**

#### BUTLER COUNTY EARNS FREE RADON TEST KITS

Butler County is among 10 counties throughout the country selected to win 200 free radon test kits through the National Association of Counties' (NACo) new County Radon Outreach Program.

Butler County, categorized as a Radon Zone 1 Highest Priority by the Environmental Protection Agency (EPA), submitted a plan for outreach activities to educate their community on the harmful health effects of radon exposure. They will distribute these test kits throughout the month of January, which is "National Radon Action Month."

Over 35 counties submitted applications to win these free radon test kits, and although every application was strong with a number of excellent planned outreach and follow-up activities, resources did not allow NACo to purchase kits for every county in this first year of the program. Please contact Kelly Zonderwyk at (202) 942-4224 or [kzonderwyk@naco.org](mailto:kzonderwyk@naco.org) for more information.

#### 2006 ACTS OF CARING AWARD - DEADLINE JANUARY 27

In 2006, the National Association of Counties (NACo) will recognize and promote volunteer programs through the Acts of Caring Awards, a national ceremony honoring community-based, county government initiatives that provide a legacy for the future of our country. The Acts of Caring is part of County Serve America, a long-term project of NACo that is designed to raise public understanding and awareness about county government.

An "act of caring" is a community service provided by a county-sponsored volunteer program that enhances or preserves the quality of life. Any county government that is a member of NACo with an active program that meets the application criteria is eligible to participate in the Acts of Caring awards.

Up to 18 programs will be recognized and deemed examples of outstanding Acts of Caring. Based on county size, as many as three programs will be recognized in each of six categories, including: community improvement, criminal justice/emergency management, elderly services, health/social services, libraries and programs for children and youth. In addition, one Youth Service Award and one Legacy Award for Excellence and Innovation will be given. This year's competition will feature cash awards for the Youth Service Award (\$1,000) and the Legacy

Award for Excellence and Innovation (\$1,500).

Ohio has a successful history of winning an Acts of Caring awards. Past winners from Ohio include: Hamilton, Portage (3), Summit (2), Erie, and Lucas. Two years ago, Portage County won the highly coveted Legacy Award.

To download an application, go to [www.naco.org](http://www.naco.org) and click "awards" on the left menu then follow the prompts. Applications must be received at the following address on or before Friday, **January 27, 2006**: NACo Acts of Caring Awards, c/o NACo, 440 First Street NW, Washington, DC 20001. For more information please contact Tom Goodman, NACo Public Affairs Director, at (202) 942-4222 or [tgoodman@naco.org](mailto:tgoodman@naco.org).

#### **CONFERENCES/ SEMINARS**

##### OHPELRA 22<sup>ND</sup> ANNUAL TRAINING CONFERENCE

The Ohio Public Employer Labor Relations Association (OHPELRA) will hold the 22<sup>nd</sup> Annual Training Conference from February 5-7, 2006 at the Cherry Valley Lodge & Conference Center, 2299 Cherry Valley Road, in Newark. The theme of the conference is "Learning Together." Registration fee: entire conference - \$220 - member or \$320 - non-member; single day - \$130 -member or \$170 non-member rate. For more information please contact: Douglas Duckett, OHPELRA Treasurer, Butler County Department of Personnel, 315 High Street - Floor 6, Hamilton, OH 45011, (513) 887-3257 or (513) 785-5199.

##### NPELRA ANNUAL TRAINING CONFERENCE

"Leading the Way - Yesterday, Today and into the Future," the National Public Employer Labor Relations Association (NPELRA) Annual Training Conference, will be held March 26-30, 2006 at the Hyatt Regency Newport Beach (CA). Registration fee: members - \$459 by March 3 or \$559 after March 3 or non-members - \$519 after March 3 or \$599 after March 3. For more information please contact: NPELRA 2006 Annual Training Conference, 1620 Eye Street, NW - Floor 3, Washington, DC 20006,



(800) 296-2230, fax (202) 296-6404 or [www.npelra.org](http://www.npelra.org).

CLEVELAND STATE UNIVERSITY WILL OFFER EIGHT MEETINGS FOR NEWLY-ELECTED PUBLIC OFFICIALS, BEGINNING JANUARY 19

The Maxine Goodman Levin College of Urban Affairs at Cleveland State University recently announced that it will again offer its Newly Elected Officials Certificate Series, with the first of eight meetings to be held on Thursday, January 19 from 5 p.m. to 7:30 p.m. at the College of Urban Affairs.

The seminars provide training and networking opportunities for newly elected city and county officials and for policy makers, staffers, agency supervisors and campaign officials. The series will run on eight consecutive Thursdays, from January 19 through March 9. Individuals may sign up for any combination of workshops at the cost of \$60 per workshop or may register for all eight for \$450.

On-line registration is available at [http://urban.csu.ohio.edu/academics/leadership/elected\\_officials.shtml](http://urban.csu.ohio.edu/academics/leadership/elected_officials.shtml). For more information contact Suzanne Pokorny of the College of Urban Affairs at 216-687-3509 or 216-375-0405 (cell).

MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES WILL PRESENT 2006 ZONING WORKSHOPS, BEGINNING JANUARY 26

The Medina County Department of Planning Services is planning a series of nine zoning workshops for 2006, with the first workshop to be held on Wednesday, January 26 from 6:30 p.m. to 9 p.m. The first workshop, on the basics of zoning, will be held at the Medina County Department of Planning Services, 124 West Washington Street, Lower Level, Medina, OH 44256.

Upcoming workshops include a February 9 session of the Board of Zoning Appeals, a March 23 session on the Zoning Commission and an April 20 session of zoning inspector training.

The workshops have been developed by Medina

County in partnership with OSU Extension of Medina County, the Medina County Prosecutor's Office and the Akron Section of the Ohio Planning Conference. AICP continuing education credits are available for the workshops.

Please RSVP to Patrice Theken at [ptheken@medinaco.org](mailto:ptheken@medinaco.org) or [khouston@medinanaco.org](mailto:khouston@medinanaco.org) to confirm the dates and meeting locations of each workshop. For additional information call the Medina County Department of Planning Services at 330-722-9219 or [www.planning.co.medina.oh.us](http://www.planning.co.medina.oh.us)

**ATTORNEY GENERAL OPINIONS**

SYLLABUS

2005-043

1. When territory annexed to a municipality remains part of a township, the territory should be included on the abstract of real property and on the tax list and duplicate in the manner in which other property is included, with information reflecting that the property is located in both the township and the municipality, as well as in the other appropriate taxing units, in accordance with ORC 319.28, ORC 5715.16, ORC 5715.23, and other relevant provisions. The determination of the tax reduction factor is made by the Tax Commissioner, in accordance with ORC 319.301, 16 Ohio Administrative Code 5703-25-48, and other relevant provisions.
2. If township territory has been annexed into a municipal corporation and township boundaries have not been conformed to those of the municipality, millage within the 10-mill limitation must be allocated in accordance with the provisions of ORC 5705.31, ORC 5705.315, other relevant statutes, and any applicable annexation agreements that may exist.
3. Millage within the 10-mill limitation is allocated on an annual basis in accordance with ORC 5705.31 (D), and the county budget commission (or corresponding entity in a

charter county such as Summit County) is empowered to determine each year how to allocate any inside millage that is not required by law to be allocated to a particular taxing unit.

4. If the boundaries of annexed township territory are not conformed to those of the municipality before the county auditor submits the abstract of real property to the Tax Commissioner but are so conformed before the end of the year, the property in that territory is subject to a tax levied by the township only if the territory is part of the township when the township certifies the tax to the county auditor pursuant to ORC 5705.34 for inclusion on the tax list and duplicate pursuant to ORC 319.28. (1995 Ohio Attorney General Opinion Number 95-010, approved and followed.)
5. If township territory has been annexed into a municipal corporation and township boundaries have not been conformed to those of the municipality, but taxes are calculated and levied as if the boundaries had been conformed, the actions of public officials taken to calculate and levy the taxes are presumed to be valid and of legal effect, and may be modified or corrected only in accordance with provisions of statute or through proper administrative or judicial procedures.
6. If the boundaries of annexed township territory are not conformed to those of the municipality at the time of an election, residents of the overlapping territory may vote on both township and municipal issues. Tax levies that are approved by township voters are levied throughout the township according to the township boundaries in existence when the township certifies the tax to the county auditor pursuant to ORC 5705.34 for inclusion on the tax list and duplicate pursuant to ORC 319.28, unless a specific statute provides to the contrary.

## SYLLABUS

2005-044

Revenue from a levy under ORC 5705.24 may be used to fund a "Child Victim" Detective's position within the office of the county sheriff if it is reasonably determined that funding for that position is necessary for the support of children services and the care and placement of children and comes within the purposes set forth in the resolution and ballot language by which the levy was adopted.

## **CLASSIFIEDS**

### DIRECTOR

The Crawford County Commissioners will be accepting applications and resumes for the position of Director of Job & Family Services. This position will oversee all agency functions, which includes Children Services, Child Support, Workforce Development, Public Assistance and other appropriate services and has responsibility for maintaining all agency programs and activities including the direct delivery of service; ensuring customer service, access and delivery of service for various agency programs; determining staffing requirements and organization structures; overseeing fiscal duties for the agency including budget preparation, state allocations, grants and outside revenue sources; conducting and attending meetings, training sessions; performing public relations duties representing the agency and the County Commissioners throughout the community and at the state level. Qualifications: Completion of undergraduate major core coursework in one of the following or related field; Business Administration, Public Administration, Human Services, Human Resources, Psychology, Sociology, Social Work, Education or Finance. Also requires an additional five years of administrative/managerial experience and assisting in developing and implementing policies, programs, laws, rules and/or regulations or education, training and/or experience in an amount equal to the qualifications stated above. County residency is preferred, however, may be negotiated with the Board of Commissioners. Salary is negotiable and will be based on education and experience.

Applicants may apply by submitting a cover letter detailing salary history, current resume, references, and the qualification as they relate to the specified minimum qualifications. Letter and resume must be postmarked by **January 13, 2006** to Stephanie Miller, Human Resource Manager, Commissioner's Office, Suite 304, 112 E. Mansfield Street, Bucyrus, Ohio 44820. EOE.

### EXECUTIVE DIRECTOR

The Board of Lucas County Commissioners is seeking a dynamic individual to lead the Lucas County Department of Job & Family Services, a public assistance agency serving the citizens of Lucas County, Ohio. The successful candidate will be able to plan and direct the agency's programs and maintain a standard of professional practices, providing leadership in planning, evaluating, organizing, and staffing agency services.

The successful candidate will possess the following qualifications: Bachelors degree, Masters preferred, in business or public administration, human services, human resources, psychology, sociology, social work, education or finance with six years of administrative and managerial experience, preferably in a bargaining unit environment, to include responsibility for managing the fiscal aspects of an organization, agency, program, or operational area and assisting in developing and implementing policies, programs, laws, rules and/or regulations, plus a demonstrated ability to work with federal and state laws, rules, and regulations and experience working cooperatively with public/private agencies and officials as well as the community at large. At least three of the six years of administrative and management experience must have been as a supervisor over subordinate staff and/or contractors

Selected candidate must be willing to serve in the unclassified service as a condition of employment.

Salary Range: \$90,300-\$112,875

Please forward a resume addressing specific examples of relevant professional performance, along with salary requirements and the names and addresses of three professional references, by

**January 31, 2006**, to: Executive Search Committee, Board of Lucas County Commissioners' Human Resources Department, One Government Center, Ste. 450, Toledo, OH 43604

Please visit the Board of Lucas County Commissioners' home page at [www.co.lucas.oh.us](http://www.co.lucas.oh.us), and click on the Job Postings link for further information about this employment opportunity.

#### **CLASSIFIED ADS**

CCAO publishes the County Information and Data Service (CIDS) weekly. Classified ads will be published free of charge as a service to counties. Ads will run for two weeks if space is available. Please provide faxed or e-mailed copy of the classified ad by 5:00 p.m. on Wednesday of each week. Transmit the copy to Mary Jane Neiman, CCAO Public Relations Associate, via fax at (614) 221-5627 or e-mail [mjneiman@ccao.org](mailto:mjneiman@ccao.org).



